

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-18 are presently active; Claims 1-18 having been amended by way of the present amendment.

In the outstanding Office Action, the abstract of the specification was objected to. Claims 7-15 were objected to as being in improper format due to multiple dependent Claim 6. Claims 1, 2, and 16-18 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ott (U.S. Pat. No. 6,182,264). Claims 3-6 were objected to for being dependent from a rejected base claim but would be allowable if rewritten in independent form to include the limitations of the base claim and any intervening claims.

Regarding the objection to the abstract, the abstract have been amended to remove the legal phraseology. Thus, it is respectfully submitted that the objection to the abstract has been overcome.

Regarding the objection to the claims, the claims have been amended to address the improper multiple dependencies. Thus, it is respectfully submitted that the objection to the claims has been overcome.

Next, Applicants acknowledge with appreciation the indication of allowable subject matter in Claims 3-6.

In order to expedite prosecution of the present application, the claims have been amended to better comply with U.S. claim drafting practice. As such, Claim 1 points out a process for transmitting data between at least one transmitter and at least one receiver in the form of data packets of at least one datum. Each of the data packets is associated with an identifier of the data packet. The process implements at least two transmission modes: (1) an explicit mode, wherein each of the data packets, called explicit packets, is transmitted with

the identifier of the data packet, and (2) an implicit mode, wherein the data packets, called implicit packets, are transmitted without being accompanied by the identifiers. The process includes at least one first transfer stage from the explicit mode to the implicit mode and/or at least one second transfer stage from the implicit mode to the explicit mode. A selection of one of the first and second transfer stages is determined as a function of at least one pre-determined transfer criterion associated with the data packet.

The outstanding Office Action asserts that Ott, in disclosing a RS (Reed Solomon) or a cyclic redundancy check (CRC) encoder, anticipates the claimed implicit mode, wherein the data packets, called implicit packets, are transmitted *without being accompanied by the identifiers*. However, the teachings in Ott are directed to the selection of which type of error encoding is to be used dependent on the signal transmission and reception conditions, and provide no teachings as to the inclusion or exclusion of identifiers with each data packet transmitted. Applicants submit that there is no showing in Ott that the RS or CRC or RS+ARQ error checking techniques used therein exclude or invoke identifiers on the transmitted data packets.

Ott in describing the selection of the error checking techniques describes at col. 6, lines 26-48, that:

Referring still to FIG. 1, each of the error correction techniques employed by encoders 102-104 are well known and widely used. The CRC technique employed by encoder 102 is the least powerful of the three, in that it imposes the lowest signal processing load on the transmitting device and the receiving device, imposes the lowest degree of signal processing delay, and is thus suited for use when the transmission quality of transmission channel 113 is good. The RS technique employed by encoder 103 imposes a relatively higher signal processing load and provides more robust error correction than CRC, and is thus suited for use when the transmission quality of transmission channel 113 is degraded or otherwise impaired (e.g., due to weather, due to interference, etc.).

The RS+ARQ technique employed by encoder 104 is the more robust capability wise than both CRC and RS and is capable of functioning when the transmission quality of transmission channel 113 is very degraded. However, RS+ARQ imposes higher signal processing loads than either CRC or RS, and

imposes much higher signal processing delay. Hence, RS+ARQ suited for use only when transmission channel 113 is more impaired.

While indicating that the signal processing load varies between the three-noted techniques, Ott provides no teaching that the data packets transmitted utilize identifiers for certain error checking techniques and not others. Since M.P.E.P. § 2131 requires for anticipation that each and every feature of the claimed invention must be shown, it is respectfully submitted that, with no showing that the data packets in Ott utilize identifiers for certain error checking techniques and not others, Claims 1 and 16-18 and the claims dependent therefrom are believed to patentably define over Ott.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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